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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/586,609	07/19/2006	Akihiko Fujii	293709US0PCT	5969
22850 7590 03/29/2010 OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, L.L.P. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER KING, FELICIA C				
ART UNIT 1794		PAPER NUMBER		
NOTIFICATION DATE 03/29/2010		DELIVERY MODE ELECTRONIC		

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***Advisory Action***

In response to Applicants' Remarks filed 3/8/10 the request for reconsideration has been considered but does not place the application in consideration for allowance.

1. On pages 3-5 of Applicants' Request for Reconsideration, Applicants maintain that because there is no express disclosure of removal of HHQ and because the removal is not the level as claimed, that the rejection should be withdrawn. Examiner disagrees but acknowledges Applicants' reproduction of experiments in view of the Stelkens (regarding contacting time period) and in combination with the coconut husk activated carbon in Sosuke. Examiner acknowledges that applicant has extended the time period for contacting the coffee substrate with activated carbon for 5 minutes as recited in Stelkens and that the experiments did not reduce the amount of HHQ to that level that it is reduced in Applicants' claims. However, the Stelkens and Sosuke references as illustrated in the experiments confirm a reduction in the amount of HHQ which shows that the coconut husk activated carbon contacted with a coffee substrate for 5 minutes is capable of reducing HHQ levels in contrast with contacting coffee with non-activated carbon.

Applicant further asserts that the rejection was based upon inherency. Examiner disagrees because the rejection made was an obviousness rejection and that inherency was not argued. Rather examiner argued, based upon the combined teachings of the Stelkens and Sosuke, that it would have been obvious to treat the coffee with coconut husk activated carbon until a desired amount of poisonous substances were removed.

Further in Applicant's specification, time is a factor in attaining desirable HHQ removal. In the Specification, pages 39-41 including Table 5, applicants allow the coffee to undergo extraction for 30 minutes. Variables such as time are well known in the art and it would have been obvious to

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one having ordinary skill in the art to lengthen extraction time to remove larger amounts of a target substance.

Further regarding contacting time, Applicant has not shown that extending the time of exposure of the coffee to the coconut husk activated carbon would not have been obvious to one of ordinary skill in the art.

Additionally, Applicant has not argued that it would not have been obvious to combine the Stelkens and Sosuke references.

/F. K./

Examiner, Art Unit 1794

/Jennifer C. McNeil/

Supervisory Patent Examiner, Art Unit 1794